

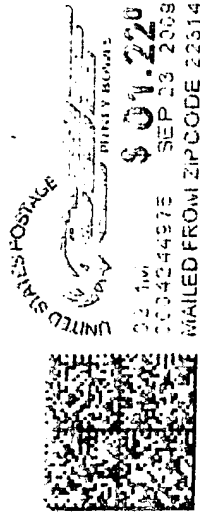
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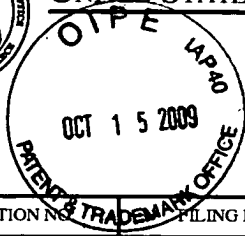
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,917	01/25/2006	Takashi Miyoshi	OOCL2672004OP5181	7766

7590
Straub & Pokotylo
Building B 2nd Floor
620 Tinton Avenue
Tinton Falls, NJ 07724-3260

EXAMINER

CAMBY, RICHARD M

ART UNIT	PAPER NUMBER
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3661

MAIL DATE	DELIVERY MODE
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08/21/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/565,917	MIYOSHI ET AL.	
	Examiner	Art Unit	
	Richard M. Camby	3661	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 7-81604 in view of JP 11-144185 and JP 2001-76128.

The JP reference '604 discloses a vehicle equipped with a automatic steering system that uses a CCD camera to capture points in time as images to convert them into coordinate values to indicate the location of the lanes of traffic as described in paragraphs 8, 12-14, 28 and 58. The JP '185 reference discloses an automatic steering system that calculates an immediate future route that the vehicle needs to travel to continue running safely in the lane without hitting any other vehicles. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of JP '604 with the safe running calculation of JP '185 in order to have less accidents. The JP ' 128 discloses representing a road from a zone that is not found on the road and filled with traffic obstacles by comprehending associated texture data. It uses a stereo camera for capturing 3D data. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified device of JP '604 with a 3D camera and zone detection as taught by JP '128 in order to have better resolution.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Camby whose telephone number is (571) 272-6958. The examiner can normally be reached on Tues-Fri 9:00 a.m.-7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard M. Camby/
Primary Examiner, Art Unit 3661

Notice of References Cited	Application/Control No. 10/565,917	Applicant(s)/Patent Under Reexamination MIYOSHI ET AL.	
	Examiner Richard M. Camby	Art Unit 3661	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,510,038	03-2009	Kaufmann et al.	180/169
*	B	US-7,302,321	11-2007	Suzuki et al.	701/23
*	C	US-6,772,062	08-2004	Lasky et al.	701/207
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

(modified PTO/SB/08A)

U.S. Department of Commerce Patent and Trademark Office		Application Number: 10/565,917	
Filing Date: January 25, 2006		First Named Inventor: Takashi MIYOSHI	
Group Art Unit: 3661		Examiner Name: Not yet assigned	
Attorney Docket No.: OOCL-267 (2004OP518-1)			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			
Sheet	1	of	1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines where relevant Passages or Figures appear

Examiner Initials*	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	JP	11-144185	05-28-1999	HONDA MOTOR CO., LTD.		X

OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume, issue number(s), publisher, country, where published, source	T ²
	JQ	Japanese Office Action for application no. 2003-203494, dated February 6, 2007 (2 pgs.)(with translation, 2 pgs.)	

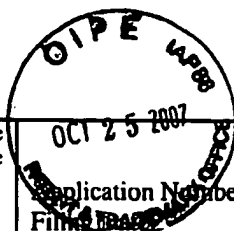
Examiner Signature	/Richard Camby/ (08/18/2009)	Date Considered	08/18/2009
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /RC/

(modified PTO/SB/08A)



U.S. Department of Commerce Patent and Trademark Office		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number: 10/565,917	
		Filing Date: January 25, 2006	
		First Named Inventor: Takashi MIYOSHI	
		Group Art Unit: 3661	
		Examiner Name: Not yet assigned	
Sheet 1 of 1	Attorney Docket No.: OOCL-267 (2004OP518-1)		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines where relevant Passages or Figures appear
	AR	US 2003/069695 A1	04-10-2003	MASAYUKI	

Examiner Initials*	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
	AS	EP 0 795 700 A2	09-17-1997	TOYOTA MOTOR CO LTD		
	AT	WO 03/001471 A	01-03-2003	DAIMLER CHRYSLER AG		
	AU	EP 1 288 072 A	03-05-2003	AISIN SEIKI		

OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume, issue number(s), publisher, country, where published, source	T ²
	AV	Bertozzi M., et al., "Sensing of Automotive Environments Using Stereo Vision," <u>International Symposium of Automotive Technology and Automation</u> , pp. 187-193 (June 16, 1997).	
	AW	Franke U., et al., "Real-time Stereo Vision for Urban Traffic Scene Understanding," <u>Proceedings of the IEEE Intelligent Vehicles Symposium 2000</u> , pp. 273-278 (October 2000).	
	AX	Supplementary European Search Report, to European Patent Application No. 04770848.2-2215 PCT/JP2004010338, dated August 20, 2007 (4 pgs.).	

Examiner Signature	/Richard Camby/ (08/18/2009)	Date Considered	08/18/2009
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		Office ³	Number ⁴				
	AC	JP-06-266828		09-22-1994	FUJI HEAVY IND. LTD.		
	AD	JP-07-065294		03-10-1995	MITSUBISHI ELECTRIC CORP.		
	AE	JP-07-081604		03-28-1995	HONDA MOTOR CO. LTD.		
	AF*	JP-11-144185		05-28-1995			
	AG	JP-7-192199		07-28-1995			
	AH	JP-08-221698		08-30-1996	MITSUBISHI ELECTRIC CORP.		
	AI	JP-10-283593		10-23-1998	FUJI HEAVY IND. LTD.		
	AJ	JP-2000-339596		12-08-2000	FUJI HEAVY IND. LTD.		
	AK	JP-2001-076128		03-23-2001	TOSHIBA CORP.		
	AL	JP-2001-109519		04-20-2001	KOMATSU LTD.		
	AM	JP-2001-273597		10-05-2001	MAZDA MOTOR CORP.		
	AN	JP-2003-121543		04-23-2003	NISSAN MOTOR CO. LTD.		
	AO	JP-2004-053278		02-19-2004	NISSAN MOTOR CO. LTD.		

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1 Unique citation designation number. 2 See attached kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16, if possible. 6 Applicant is to place a check mark here if English language translation is attached.

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DEC 02 2008

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U.S. Department of Commerce Patent and Trademark Office		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number: 10/565,917 Filing Date: January 25, 2006 First Named Inventor: Takashi MIYOSHI Group Art Unit: 3661 Examiner Name: Not yet assigned	
Sheet	1	of	1
		Attorney Docket No.: OOCL-267 (2004OP518-1)	

U.S. PATENT DOCUMENTS					
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OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume, issue number(s), publisher, country, where published, source	T ²
	AY	European Communication for European Patent Application No. 04 770 848.2-2215, dated September 2, 2008 (5 pgs.)	

Examiner Signature	/Richard Camby/ (08/18/2009)	Date Considered	08/18/2009
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